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Remarks

Applicant has carefully considered the Office Action mailed on September 30, 2004. Of the pending claims, the Examiner rejected claims 1-26, 45 and 46. Claims 27-44 have been withdrawn subject to a restriction requirement. Claims 1-26, 45 and 46 remain pending in the present patent application. In view of the following remarks, Applicant requests further examination and reconsideration of the present patent application.

The Examiner rejected claims 1-26 and 45-46 under 35 USC 103(a) as being unpatentable over McCallum, US patent 5,784,635, in view of Wood et al., (hereinafter Wood) US patent 5,851,186 and Kawasaki, US patent 6,539,375. Applicant respectfully traverses the rejection of claims 1-26 and 45-46 under 35 USC 103(a) over McCallum in view of Wood and Kawasaki.

It is respectfully submitted that the Applicant's invention as recited in independent claims 1, 16, 45 and 46 and claims depending therefrom, is not obvious in view of the applied references, taken individually or in combination. Applicant further submits that the applied references fail to teach or suggest means for automatically screening the examination data for errors, as described by the Applicant's invention recited in the independent claims 1, 16, 45 and 46.

Applicant respectfully submits that the applied references do not teach, suggest, or disclose (either individually or collectively) the independent claims 1, 16, 45 and 46 recitation of "automatically screening the examination data for errors."

McCallum discloses a system and method for assimilating diversely formatted physician practice data into a universal single-format database to support information systems. McCallum does not disclose means for automatically screening examination data for errors in order to provide reports on medical imaging devices. Applicant has carefully reviewed the material in Fig. 6-9, col. 12 lines 50-55 and col. 13 lines 22-44 of

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McCallum cited by the Examiner, and submits that these sections fail to disclose or suggest means for automatically screening examination data for errors in order to provide reports on medical imaging devices. Instead, the material in Fig. 6-9, col. 12 lines 50-55 and col. 13 lines 22-44 discusses means for converting source data to a single and uniform format and parsing the converted data, wherein the source data is extracted from a plurality of source systems.

Further there is no motivation in McCallum to combine it with Wood and Kawasaki. Wood does not overcome the deficiencies of McCallum. Wood discloses a medical diagnostic imaging system, which can be remotely accessed from any place on the globe to provide information about its operating characteristics, patient images, and reports. In particular, Wood discloses a technique for modifying an ultrasonic diagnostic imaging system with hardware and software, to enable the diagnostic information gathered through the use of the ultrasound system to be accessed from remote locations. Kawasaki does not overcome the deficiencies of McCallum and Wood. Kawasaki discloses a method and system for monitoring the use of the Internet by users and generating profile data for use in targeting users according to their interests. Therefore, Wood and Kawasaki (either alone or in combination with McCallum) do not disclose, teach or suggest means for automatically screening the examination data for errors in order to provide reports on medical imaging devices. Further, nowhere do the McCallum, Wood or Kawasaki references show or suggest that the data processed by each respective technique would require screening, therefore Applicants respectfully submit there is no reasonable motivation or suggestion to combine the applied references, other than by using Applicants' specification in hindsight.

Obviousness cannot be established absent a teaching or suggestion in the prior art to produce the claimed invention. For a prima facie case of obviousness, the Examiner must set forth the differences in the claim over the applied references, set forth the proposed modification of the references, which would be necessary to arrive at the claimed subject matter, and explain why the proposed modification would be obvious. It is well-established law that the mere fact that references may be combined or modified

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does not render the resultant modification or combination obvious unless the prior art suggests the desirability of the modification or combination. As stated above, nowhere do the applied references teach, suggest or disclose means for automatically screening examination data for errors in order to provide reports on medical imaging devices. By providing means for "automatically screening examination data for errors", the Applicant's invention enables the scanning of examination data in a file, in order to determine if a file contains all of the exams that should have been acquired from each scanner, during a particular examination. In particular, in the Applicant's invention, the files are screened to determine if there is missing examination data that is critical to the reporting within a given file.

Applicant interprets the Office Action as stating that the proposed modification is to combine the diagnostic imaging system of Wood with the method taught by McCallum, for allowing remote access of patient images from anywhere in the world and to further combine the teachings of Kawasaki within the method taught by McCallum and Wood, for improving the efficiency of information transfer, by targeting specific users based on the user's profile.

However, Applicant respectfully submits that nowhere do the applied references discuss the challenges associated with providing service data and reports relating to the operative state of diagnostic imaging systems, wherein the data is received from different scanners and different medical facilities. Further, nowhere do the applied references disclose a technique for screening examination data on the different scanners in order to determine if there is missing examination data that is critical to the reporting within a given file and further standardizing the data received from these different scanners and different medical facilities and preparing reports in a way as to provide meaningful, quantitative comparisons between different examinations done on the different scanners. Further, the applied references merely address techniques for assimilating diversely formatted physician practice data into a universal single-format database, remotely accessing a medical diagnostic imaging system and monitoring Internet usage by users. Thus, Applicant submits that the Examiner has failed to provide a basis in the art for

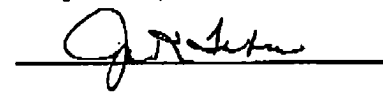
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combining the applied references that would support a prima facie case of obviousness. Accordingly, Applicant respectfully submits that the claimed invention, as recited in now presumably allowable independent claims 1, 16, 45 and 46 define allowable subject matter over the applied art. Withdrawal of the rejections is respectfully requested, and allowance of claims 1, 16, 45 and 46 is respectfully solicited. Claims 2-15, and 17-26 depend directly or indirectly from claims 1 and 16, and are therefore similarly patentable by dependency.

Should the Examiner believe that anything further is needed to place the application in even better condition for allowance, the Examiner is requested to contact Applicant's undersigned representative at the telephone number below.

Respectfully submitted,



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